

UNITED STATES BANKRUPTCY COURT
DISTRICT OF PUERTO RICO

IN RE:

ENRIQUE RODRIGUEZ NARVAEZ
MIRNA IRIS RIVERA ORTIZ

DEBTORS

CASE # 18-02044 EAG
CHAPTER 11

SETTLEMENT TO SCHEDULE PAYMENT OF DEBT WITH CREDITOR
LOPEZ ENTERPRISES INC

TO THE HONORABLE COURT:

HERE COME the parties represent by the undersigned attorneys and respectfully request and pray for the following:

1. On April 16, 2018, Debtors, Enrique Rodríguez Narvaez, and Mirna Iris Rivera Ortiz, filed a voluntary petition for relief pursuant chapter 11 of the Bankruptcy Code which plan was confirmed on March 25, 2019.
2. In the instant case, a motion to dismiss have been file by creditor Lopez Enterprises Inc on June 23, 2021. *See, docket no. 192.*
3. On July 7, 2021, Debtors filed a Reply to Motion to Dismiss. *See, docket no. 198.*
4. In view of the response, the parties have started discussion for the payment of the debt.
5. In view of a hearing scheduled, the parties have sat to negotiate the debt taking in consideration the offers received by debtors in this case.
6. According to the offers received by the debtors, they have presented to creditor with a schedule of payment that they are considering at this time.

7. Debtors have offer to creditor the following:

- a) \$148,000.00 within 5 days of filing this motion to pay off the small debt and will release the lien over the property 11592 or any other that may appear.
- b) \$325,000.00 received from the tax credit after liquidating the debt of Banco Popular and the same should be on or before July 31, 2021. With this payment creditor will release a mortgage note of \$625,000.00 (McGraw note) hold in collateral for the second debt.
- c) \$400,000.00 in a period of 2 week once received the mortgage note and the due date for the payment should be August 16, 2021.
- d) \$351,750.00 from the sale of the Arroyo lot which should be completed by August 21, 2021 and to be in full for the debt owed in this case to this creditor. If the sale is not completed, then debtor will have up to September 30, 2021 to pay the remaining balance.

8. Debtors will notify to the Court of the compliance of these payments to creditor.

9. For the reasons state above, the parties request to this Honorable Court to set aside the hearing schedule for July 29, 2021 and allow the preset motion with the schedules of payment proposed for this creditor.

WHEREFORE: the parties request that the hearing schedule for July 29, 2021 be set aside in order to allow debtors the compliance of their proposal and to made the payment as propose to creditor, with any other procedure that in accordance to law this Honorable Court deem just and proper.

I CERTIFY that this motion has been electronically filed using CM/ECF system and that a copy of the same was forwarded to the Office of the U.S. Trustee and all other parties in interest,

as per the Master Address List.

NOTICE

Within fourteen (14) days after service as evidenced by the certification, and an additional three (3) days pursuant to Fed. R. Bank. P. 9006(f) if you were served by mail, any party against whom this **SETTLEMENT AND AGREEMENT WITH LOPEZ ENTERPRISES INC** has been served, or any other party to the action who objects to the relief sought herein, shall serve and file an objection or other appropriate response to this paper with the Clerk's office of the U.S. Bankruptcy Court for the District of Puerto Rico. If no objection or other response is filed within the time allowed herein, the paper will be deemed unopposed and may be granted unless: (i) the requested relief is forbidden by law; (ii) the requested relief is against public policy; or (iii) in the opinion of the Court, the interest of justice requires otherwise.

In Caguas, Puerto Rico, this 15th day of July, 2021.

**ENRIQUE RODRIGUEZ NARVAEZ
MIRNA IRIS RIVERA ORTIZ**

**Represented by Debtors Attorney
Víctor Gratacós Díaz**

/s/ Víctor Gratacós Díaz

Víctor Gratacós Díaz
Counsel for Debtors
PO Box 7571 Caguas, Puerto Rico 00726
Phone: (787) 746-4772 & FAX: (787) 746-3633
Email: vgratacos@gratacoslaw.com
USDC-PR 127906

Represented Lopez Enterprises, Inc by the undersigned attorney

/s/ Luis R. Vivas Ugartemendía

Luis R. Vivas Ugartemendía
Attorney for Lopez Enterprises, Inc
469 Esmeralda Avenue
Plaza Esmeralda Condominium, Apt. 132
Guaynabo, Puerto Rico, 00969-4282
Phone: (787) 612-2347
Email: lic.luisvivas@gmail.com